UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

KHOI H. TRAN
SUPERVISORY PATENT EXAMINER

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

2.   Claims 3-9, 22, and 23 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

3.   Claims 3 and 22 recite a "'Bridge' Platform" where the word "Bridge" is enclosed

in quotation marks. The term "Bridge" is not explicitly defined in the specification, and

so the meaning is unclear and indefinite.

4.   As to claims 4-9 and 23, these claims depend on claims 3 and 22 respectively

and thus inherit the defects of their parent claims.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

6.   Claims 1-3, 7, 8, 10-12, 15-17, and 22 are rejected under 35 U.S.C. 102(e) as

being anticipated by Petit et al (2005/0149435).

7.   As to claim 1, Petit shows a method for purchasing goods or services by a

customer from an E-Merchant, the customer having a customer computer system, the

customer having a charge card, the charge card having a plurality of charge card details

(paragraphs 36-40), the method comprising the steps of establishing a connection

between the customer computer system and the E-Merchant over a distributed public

network (paragraphs 38, 70); sending at least a part of the charge card details from the

customer computer system to an authorizer of the charge card, bypassing the E-

Merchant, in order to purchase at least one item from the E-Merchant (paragraphs 40,

83, 93); sending a transaction summary from the E-Merchant to said authorizer,

bypassing the customer computer system, said transaction summary being of a

transaction being between the E-Merchant and the customer, said transaction including

said at least one item (paragraphs 83, 88, 89); authorizing said transaction, by said

authorizer (paragraphs 118, 119); and sending a confirmation of said authorizing of said

transaction to the E-Merchant (paragraphs 119-123).

8.   As to claim 2, Petit shows a method for purchasing goods or services by a

customer from an E-merchant wherein all steps are performed such that the E-Merchant

is prevented from accessing said part of the charge card details (paragraph 50).

9.   As to claim 3, Petit shows a method for purchasing goods or services by a

customer from an E-merchant wherein sending a part of the charge card details

includes sending said part of the charge card details from the customer computer

system of the customer to a "Bridge" Platform, bypassing the E-Merchant (paragraphs 40, 83, 93), and wherein said sending said transaction summary includes sending said transaction summary from the E-Merchant to said "Bridge" Platform, bypassing the customer computer system (paragraphs 83, 88, 89), the method further comprising the steps of pairing said part of the charge card details with said transaction summary to form a combined transaction payment request package, by said "Bridge" Platform (paragraph 111); and sending said combined transaction payment request package to said authorizer for said authorizing, by said "Bridge" Platform (paragraphs 116-118).

10.   As to claim 7, Petit shows receiving said part of the charge card details by said "Bridge" Platform (paragraph 93); and receiving said transaction summary by said "Bridge" Platform, wherein said receiving said part of the charge card details and said receiving said transaction summary are performed asynchronously (paragraphs 87-89 and 92-94: *the customer can register his card information with the "Bridge" Platform beforehand*).

11.   As to claim 8, Petit shows receiving said confirmation from said authorizer, by said "Bridge" Platform (paragraph 119); and sending said confirmation to the E-Merchant, by said "Bridge" Platform (paragraphs 121-123).

12.   As to claim 10, Petit shows an authorization confirmation including a transaction authorization reference of said authorizer (paragraphs 118-123).

13.   As to claim 11, Petit shows sending a part of a charge card's details is performed at least partially via a distributed network (paragraph 70).

14.   As to claim 12, Petit shows prior to sending part of a charge card's details,
performing at least one action selected from the group consisting of encoding said part
of the charge card details and encrypting said part of the charge card details (paragraph
76).

15.   As to claim 15, Petit shows performing a validation of a part of a charge card's
details, by the authorizer (paragraph 153).

16.   As to claim 16, Petit shows paying an E-Merchant for a transaction (paragraph
67).

17.   As to claim 17, Petit shows delivering at least one item, by the E-Merchant
(paragraph 67).

18.   As to claim 22, Petit shows a system for secure purchasing by customers over a
distributed public network, comprising: a plurality of customer computer systems, each
of said customer computer systems being uniquely associated with one of the
customers and a plurality of servers associated hosting a plurality of E-Merchants, said
customer computer systems and said E-Merchants being configured to establish
connections over the distributed public network in order for at least one of the
customers to purchase at least one item from one of said E-Merchants (paragraphs 29,
31, 32, 36: *Petit states in par. 31 that the purpose of the invention is to alleviate the
disadvantages of the stated prior art, one of the disadvantages being "carrying out
financial operations only with a closed population of merchants", par. 39. Therefore, it is
understood that the embodiments of the invention disclosed by Petit can accommodate
any number of customers and merchants*); a computer system hosting a "Bridge"

platform configured to pair a transaction summary sent by said one E-Merchant to said

"Bridge" platform, bypassing the one customer (paragraphs 83, 88, 89); and at least

part of a charge card details of a credit card of the one customer, sent by the one

customer to said "Bridge" platform, bypassing said one E-Merchant, in order to form a

combined transaction payment request package (paragraphs 40, 83, 93); and at least

one card issuer configured to authorize said combined transaction payment request

package sent by said "Bridge" platform (paragraphs 118, 119).

Claim Rejections - 35 USC § 103

19.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

20.   Claims 4-6, 9, 13, and 14 rejected under 35 U.S.C. 103(a) as being unpatentable

over Petit et al in view of Sacks (2002/0016765).

21.   As to claim 4, Petit shows all the limitations of this claim except for the limitation

wherein paring is performed using a unique identification for a transaction. Sacks

shows the limitation wherein paring is performed using a unique identification for a

transaction (paragraph 24). It would have been obvious to a person having ordinary

skill in the art at the time of the invention to modify the method of purchasing goods or

services of Petit by adding the ability to perform pairing using a unique identification as

taught by Sacks in order to decrease the risk of misappropriating the card holder's funds (Sacks: paragraph 3, 4).

22.   As to claim 5, Petit shows sending part of a charge card's details and a unique identification from the customer computer system to a "Bridge" Platform, bypassing the E-Merchant (paragraphs 92-94). Petit, however, does not show sending a transaction summary that includes sending a unique identification from the E-Merchant to said "Bridge" Platform, bypassing the customer computer system. Sacks shows sending a transaction summary that includes sending a unique identification from the E-Merchant to said "Bridge" Platform, bypassing the customer computer system (paragraph 24). It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of purchasing goods or services of Petit by adding the ability to send transaction summaries from an E-Merchant to said "Bridge" Platform that include a unique identification as taught by Sacks in order to decrease the risk of misappropriating the card holder's funds (Sacks: paragraphs 3, 4).

23.   As to claim 6, Petit shows all the limitations of the claim except the limitation wherein the unique identification is an identification of the connection between the customer and the E-Merchant over a distributed public network. Sacks shows the limitation wherein the unique identification is an identification of the connection between the customer and the E-Merchant over a distributed public network (paragraph 4, 25). It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of purchasing goods or services of Petit by adding the ability for the unique identification to be an identification of the connection between the

customer and E-Merchant as taught by Sacks in order to decrease the risk of

misappropriating the card holder's funds (Sacks: paragraphs 3, 4).

24.   As to claim 9, Petit shows all the limitations of this claim except sending a

confirmation to the customer, by said "Bridge" Platform. Sacks shows sending a

confirmation to the customer, by said "Bridge" Platform (paragraph 46). It would have

been obvious to a person having ordinary skill in the art at the time of the invention to

modify the method of purchasing goods or services of Petit by adding the ability to send

a confirmation to the customer by a "Bridge" Platform as taught by Sacks in order to

increase customer confidence in the electronic transaction (Sacks: paragraphs 3, 4).

25.   As to claims 13 and 14, Petit shows all the limitations of these claims except the

limitation wherein the transaction summary includes at least one merchant detail of the

E-Merchant and performing a validation of the E-Merchant by the authorizer. Sacks

shows the limitation wherein the transaction summary includes at least one merchant

detail of the E-Merchant (paragraphs 24, 25) and performing a validation of the E-

Merchant, by the authorizer (paragraphs 24, 31). It would have been obvious to a

person having ordinary skill in the art at the time of the invention to modify the method

of purchasing goods or services of Petit by adding at least one merchant detail to the

transaction summary and the ability to perform a validation of the E-merchant as taught

by Sacks in order to decrease the risk of fraud and misappropriating the card holder's

funds (Sacks: paragraphs 3, 4).

26.   Claims 18-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Petit et al in view of Silva et al (2003/0212601). Petit shows all the limitations of

these claims except reading a part of a charge card's details from the charge card by a

reader when a customer swipes the card through the reader; verifying a usage of the

charge card by comparing a unique code associated with said card reader and at least

a portion of the charge card details, wherein said step of sending said at least one

charge card detail is contingent on said step of verifying; and storing said unique code

in a non-volatile storage medium of said card reader. Silva shows reading a part of a

charge card's details from the charge card by a reader when a customer swipes the

card through the reader (paragraph 48); verifying a usage of the charge card by

comparing a unique code associated with said card reader and at least a portion of the

charge card details, wherein said step of sending said at least one charge card detail is

contingent on said step of verifying (paragraphs 48-53); and storing said unique code in

a non-volatile storage medium of said card reader (paragraph 51). It would have been

obvious to a person having ordinary skill in the art at the time of the invention to modify

the method of purchasing goods or services of Petit by adding the ability to read and

verify charge card details by a card reader as taught by Silva in order to provide a point-

of-sale payment system that provides a secure environment for the transmission of

financial information (Silva: paragraph 10).

27.   As to claim 23, Petit shows all the limitations of this claim except each customer

computer system including a card reader configured for reading card details of the

customers for sending to a "Bridge" platform. Silva shows each customer computer

system including a card reader configured for reading card details of the customers for sending to a "Bridge" platform (paragraph 30). It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the system for secure purchasing of Petit by adding card readers to each customer computer system as taught by Silva in order to provide a point-of-sale payment system that provides a secure environment for the transmission of financial information (Silva: paragraph 10).

Conclusion

28.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fisher et al (2007/0192245) – Shows a method for purchasing goods or services by a customer from an E-Merchant through an intermediary "Bridge" platform that performs pairing of charge card details with the transaction summary

Nel (6,507,823) – Shows a system and method of purchasing goods online that involve a card reader with a unique code associated with the reader used to verify the charge card's details.

Elgamal (5,671,279) – Shows a method of conducting secure electronic commerce involving an intermediary "Bridge" platform that allows customers to bypass merchants

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Shin whose telephone number is 571-270-3276. The examiner can normally be reached on Monday to Friday, 8:30 am - 6:00 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on 571-270-5329. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

John Shin
Patent Examiner, A.U. 3609
September 13, 2007

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SUPERVISORY PATENT EXAMINER